

COUNTY COUNCIL

Jay Furfaro, Chair
Nadine K. Nakamura, Vice Chair
Tim Bynum
Gary L. Hooser
Ross Kagawa
Mel Rapozo
JoAnn A. Yukimura



OFFICE OF THE COUNTY CLERK

Ricky Watanabe, County Clerk
Jade K. Fountain-Tanigawa, Deputy County Clerk


Telephone (808) 241-4188
Fax (808) 241-6349
Email cokcouncil@kauai.gov

Council Services Division
4396 Rice Street, Suite 209
Lihue, Kauai, Hawaii 96766

MEMORANDUM

April 11, 2013

TO: Bernard P. Carvalho, Jr., Mayor

FROM: Jay Furfaro, Council Chair 

RE: **APRIL 10, 2013, COUNCIL MEETING RECAP**

This is to inform you of the action taken by the Council at its April 10, 2013, Council Meeting:

CONSENT CALENDAR:

C 2013-148 Communication (03/21/2013) from the Mayor, transmitting for Council consideration and confirmation, Mayoral appointee Angela M. Anderson to the Planning Commission of the County of Kauai (*Environmentalist*) – Term ending 12/31/2013. (*Received for the Record.*)

C 2013-149 Communication (03/27/2013) from Council Vice Chair Nakamura, providing written disclosure of a possible conflict of interest and recusal, relating to Agenda Items C 2013-118 and Resolution No. 2013-44, Authorizing The Filing Of The Kauai County 2013 Action Plan (HOME Investment Partnerships Program) With The Department Of Housing And Urban Development, United States Of America, For A Grant Under Title II Of The Cranston-Gonzalez National Affordable Housing Act (Public Law 101-625), As Amended, as her husband's law firm will be performing work on one of the proposed projects. (*Received for the Record.*)

C 2013-150 Communication (03/28/2013) from Council Vice Chair Nakamura, providing written disclosure of a possible conflict of interest and recusal, relating to any and all Budget matters regarding the Office of Boards and Commissions, due to her husband's law firm's work with this Office. (*Received for the Record.*)

COMMUNICATIONS:

C 2013-101 Communication (01/12/2013) from the County Engineer, requesting agenda time to discuss the temporary closure of 'Eiwa Street at the Rice Street intersection starting in late March or early April 2013 to provide additional parking during the construction of the Līhu'e Civic Center Site, Americans with Disabilities Act (ADA) Improvements Project. ***(Received for the Record.)***

C 2013-151 Communication (03/05/2013) from Council Vice Chair Nakamura and Councilmember Rapozo, requesting Council consideration to release the County Attorney opinion dated February 21, 2013 relating to a legal review of the proposed draft bill regarding Electrical and Plumbing Workers. ***(Approved.)***

C 2013-152 Communication (03/12/2013) from the Director of Economic Development, requesting Council approval to allow the Kaua'i Independent Food Bank (KIFB) to redirect County Grant Funding in the amount of \$28,000.00 from its operating expenses item in the Supplemental Nutrition Assistance Program (SNAP) Electronic Benefit Transfer (EBT) Program budget to pay for personnel expenses in FY 2012-2013. ***(Received for the Record.)***

C 2013-153 Communication (03/18/2013) from the Chief, Roads Division, Department of Public Works, requesting Council approval to include the resurfacing of Ola Road, Waimea, at an estimated cost of \$110,000.00 to the present Islandwide Road Resurfacing list. ***(Approved in the amount of approximately \$111,000.)***

C 2013-154 Communication (03/18/2013) from the Fire Chief, requesting Council approval to apply, receive, and expend the Assistance to Firefighters Grant (AFG) Operations and Safety Program funds in the amount of \$495,228 to purchase ten (10) base station radios with ten (10) base station antennas, twenty-seven (27) mobile radios, one hundred seventeen (117) portable radios, and two hundred thirty-four (234) portable radio batteries. ***(Approved.)***

C 2013-155 Communication (03/27/2013) from Council Chair Furfaro, requesting Council consideration of the following:

(1) HSAC/NACo/WIR Representatives for Fiscal Year 2013-2014:

- (a) Hawai'i State Association of Counties (HSAC)
 - Mel Rapozo – Representative
 - Ross Kagawa – Alternate

- (b) National Association of Counties (NACo) Board of Director
 - Gary L. Hooser – Representative

- (c) Western Interstate Region (WIR) Board of Director
 - Mel Rapozo – Representative

(2) The proposed HSAC Fiscal Year 2014 Annual Operating Budget, as amended. ***(Approved.)***

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C 2013-156 Communication (04/02/2013) from Council Chair Furfaro, requesting the presence of the County Engineer, Deputy County Engineer, Environmental Services Management Engineer, and the Environmental Services Officer to discuss the feasibility, the associated costs, and process to hold a proposed workshop on the potential new landfill and Resource Recovery Park site in May 2013. ***(Received for the Record.)***

LEGAL DOCUMENT:

C 2013-157 Communication (03/21/2013) from the Chief of Police, requesting Council approval of the Use Agreement between the County of Kaua'i and Easter Seals Hawai'i, for a temporary Waimea Substation located in the renovated Waimea Dispensary at 4590 Ola Road, Waimea, for a period of eight (8) years, commencing on May 1, 2013, and terminating at midnight on April 30, 2021, for a monthly rent of \$2,000.00, inclusive of common area maintenance fees and all applicable taxes, with possible extensions of up to two (2) additional one-year terms at a negotiable rental price, including a lump sum payment of \$210,000.00 for the build-out of tenant improvements by landlord. ***(Approved.)***

CLAIMS:

C 2013-158 Communication (03/25/2013) from the Deputy County Clerk, transmitting a claim filed against the County of Kaua'i by Joseph L. Wildman of Takitani, Agaran & Jorgensen, LLLP, A Law Partnership, for his client Allan L. Albert, for personal injury and medical bills, pursuant to Section 23.06, Charter of the County of Kaua'i. ***(Referred to the County Attorney's Office for disposition and/or report back to the Council.)***

C 2013-159 Communication (04/03/2013) from the Deputy County Clerk, transmitting a claim filed against the County of Kaua'i by Marilou B. Udaundo, for loss of income, personal injury, and damage to her vehicle, pursuant to Section 23.06, Charter of the County of Kaua'i. ***(Referred to the County Attorney's Office for disposition and/or report back to the Council.)***

COMMITTEE REPORTS: APPROVED.

RESOLUTIONS:

Resolution No. 2013-44 – RESOLUTION AUTHORIZING THE FILING OF THE KAUAI COUNTY 2013 ACTION PLAN (HOME INVESTMENT PARTNERSHIPS PROGRAM) WITH THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, UNITED STATES OF AMERICA, FOR A GRANT UNDER TITLE II OF THE CRANSTON-GONZALEZ NATIONAL AFFORDABLE HOUSING ACT (PUBLIC LAW 101-625), AS AMENDED ***(Approved.)***

Resolution No. 2013-45 – RESOLUTION AUTHORIZING THE FILING OF THE KAUAI COUNTY 2013 ACTION PLAN (COMMUNITY DEVELOPMENT BLOCK GRANT) WITH THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, UNITED STATES OF AMERICA, FOR A GRANT UNDER TITLE I OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974 AND 1987 (PUBLIC LAWS 93-383 AND 100-242), AS AMENDED ***(Approved.)***

Resolution No. 2013-48 – RESOLUTION CONFIRMING MAYORAL APPOINTMENT TO THE PLANNING COMMISSION
(Angela M. Anderson - Environmentalist) (**Approved.**)

BILLS FOR FIRST READING:

Proposed Draft Bill (No. 2474) – AN ORDINANCE AMENDING ORDINANCE NO. B-2012-736, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2012 THROUGH JUNE 30, 2013, BY REVISING THE AMOUNTS ESTIMATED IN THE GENERAL FUND AND THE BEAUTIFICATION FUND (*General Fund – Department of Finance, General Liability Account – \$764,194.00*) (**Approved on 1st reading, Public Hearing scheduled for 04/24/2013, and referred to the Finance & Economic Development (Tourism / Visitor Industry / Small Business Development / Sports & Recreation Development / Other Economic Development Areas) Committee.**)

Proposed Draft Bill (No. 2475) – AN ORDINANCE AMENDING ORDINANCE NO. B-2012-736, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2012 THROUGH JUNE 30, 2013, BY REVISING THE AMOUNTS ESTIMATED IN THE DEBT SERVICE FUND (*Debt Service Fund - \$2,100,000.00*) (**Approved on 1st reading, Public Hearing scheduled for 04/24/2013, and referred to the Finance & Economic Development (Tourism / Visitor Industry / Small Business Development / Sports & Recreation Development / Other Economic Development Areas) Committee.**)

Proposed Draft Bill (No. 2476) – AN ORDINANCE AMENDING ORDINANCE NO. B-2012-736, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2012 THROUGH JUNE 30, 2013, BY REVISING THE AMOUNTS ESTIMATED IN THE GOLF FUND (*Golf Fund \$51,459.00*) (**Approved on 1st reading, Public Hearing scheduled for 04/24/2013, and referred to the Finance & Economic Development (Tourism / Visitor Industry / Small Business Development / Sports & Recreation Development / Other Economic Development Areas) Committee.**)

Proposed Draft Bill (No. 2477) – AN ORDINANCE AMENDING ORDINANCE NO. B-2012-737, AS AMENDED, RELATING TO THE CAPITAL BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2012 THROUGH JUNE 30, 2013, BY AMENDING AN EXISTING BUDGET PROVISIO IN THE CAPITAL BUDGET RELATING TO PROJECTS FUNDED WITH COMMUNITY FACILITIES DISTRICT BONDS (**Approved on 1st reading, Public Hearing scheduled for 04/24/2013, and referred to the Committee of the Whole.**)

BILL FOR SECOND READING:

BILL NO. 2473 – AN ORDINANCE AMENDING ORDINANCE NO. B-2012-737, AS AMENDED, RELATING TO THE CAPITAL BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2012 THROUGH JUNE 30, 2013, BY REVISING THE AMOUNTS ESTIMATED IN THE BOND FUND (*Vertical Expansion of the Kekaha Landfill, \$298,531.00*) (*See also CR-FED 2013-06; the Finance & Economic Development (Tourism / Visitor Industry / Small Business Development / Sports & Recreation Development / Other Economic Development Areas) Committee recommended approval on second and final reading.*) (**Approved.**)

Thank you for following up as appropriate, including confidential routing to any appropriate parties, and please do not hesitate to contact me or Council Services Staff if you need further information. Please note that this memo presents a summary of the action taken, and reference should be made to the official minutes for a complete record.

cc: Council
Via E-mail: KCT Department Heads
KCT CCs
Staff